

ERIC A. GROVER, ESQ. (CSB# 136080)
 JADE BUTMAN, ESQ. (CSB# 235920)
 ELIZABETH A. ACEVEDO, ESQ. (CSB# 227347)
 Keller Grover LLP
 425 Second Street, Suite 500
 San Francisco, California 94107
 Tel. (415) 543-1305
 Fax (415) 543-7681
eagrover@kellergrover.com

Counsel for Plaintiff Zachary Hile

SCOTT J. FERRELL /CA SB # 202091
 SCOTT D. WILSON /CA SB # 223367
 RAFIK MATTAR /CA SB # 231292
 Call, Jensen & Ferrell, a Professional Corporation
 610 Newport Center Dr., Suite 700
 Newport Beach, CA 92660
 Telephone: (949) 717-3000
 Facsimile: (949) 717-3100
sferrell@calljensen.com
swilson@calljensen.com
rmattar@calljensen.com

ERIC W. BENISEK /CA SB # 209520
 STEPHEN C. STEINBERG /CA SB # 230656
 Morgan Miller Blair, a Law Corporation
 1331 N. California Blvd., Suite 200
 Walnut Creek, CA 94596-4544
 Telephone: (925) 937-3600
 Facsimile: (925) 943-1106
ebenisek@mmbllaw.com
ssteinberg@mmbllaw.com

Counsel for Defendant Max Rave, LLC.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ZACHARY HILE, on behalf of himself and all
 others similarly situated,

Plaintiff,

v.

MAX RAVE, LLC and G+G RETAIL, INC.,

Defendants.

Case No.: C 07-00738 JSW
 Complaint Filed: February 5, 2007

**STIPULATION AND ~~PROPOSED~~ ORDER
 RE EXTENSION OF ADR DEADLINE TO
 DECEMBER 15, 2007**

Judge: Hon. Jeffrey S. White

1 WHEREAS, Plaintiff Zachary Hile on the one hand, and Defendant Max Rave, LLC ("Max
2 Rave") on the other hand (collectively, the "Parties"), were ordered by the Court to complete
3 mandatory alternative dispute resolution ("ADR") within 90 days of the date of the order referring
4 this matter to ADR, which was May 24, 2007.

5 WHEREAS, the Parties agreed to participate in mediation and on June 6, 2007, the Court
6 appointed Jessica M. Notini as the mediator.

7 WHEREAS, after consideration of the various schedules for the Parties and mediator, and
8 the need for initial baseline discovery, the Parties and mediator agreed that the earliest mutually
9 convenient date to conduct mediation would be September 7, 2007, and thereafter scheduled the
10 mediation for September 7, 2007.

11 WHEREAS, in the interim, at least three other lawsuits under the Fair and Accurate Credit
12 Transaction Act ("FACTA") have been brought in jurisdictions outside California against defendant
13 Max Rave, and Max Rave's parent company, BCBG Max Azria Group, Inc. ("BCBG"), based on
14 similar allegations of printing credit card receipts that allegedly violate FACTA requirements.

15 WHEREAS, given the existence of these other suits, the Parties agree to postpone the
16 mediation until no later than December 15, 2007 to allow the Parties, and likely out-of-state
17 counsel, to meet and confer on various strategies to streamline the litigations such as relating,
18 transferring, or consolidating some or all of the matters, and if necessary, engage in motion practice
19 to achieve such.

20 NOW, THEREFORE, the Parties hereby stipulate and agree as follows:

21 1. The Parties will conduct their Court ordered mediation on, or before, December 15,
22 2007.

23 SO STIPULATED.

1 Dated: September 5, 2007

KELLER GROVER LLP

2 /s/ ERIC A. GROVER

3
4 ERIC A. GROVER
Counsel for Plaintiff Zachary Hile

5 Dated: September 5, 2007

MORGAN MILLER BLAIR, A LAW CORPORATION

6
7 /s/ ERIC W. BENISEK

8 ERIC W. BENISEK
9 Counsel for Defendant Max Rave, LLC

10 ~~PROPOSED~~ ORDER

11 NOW, THEREFORE, upon the consent of the Parties hereto, it is hereby ORDERED that
12 the Parties are relieved from the previous ADR deadline of September 7, 2007, and shall conduct
13 their Court ordered mediation on, or before, December 15, 2007.

14 IT IS SO ORDERED.

15 Dated: September 10, 2007

16 
HON. JEFFREY S. WHITE
17 UNITED STATES DISTRICT JUDGE